

Chapter No. 43

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SENATE BILL NO. 3134

Originated in Senate

Rembert Guzman

Secretary

SENATE BILL NO. 3134

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2011.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 7,759,669.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund-No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund-No. 3701; the Camp Shelby Base Operations Fund-No. 3705; and the Air National Guard Programs Fund-No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 59,116,239.00.

SECTION 3. Of the funds appropriated under the provisions of this act, not more than the following amount shall be expended for Salaries, Wages and Fringe Benefits \$ 38,139,107.00.

FUNDING:

General Funds	\$ 7,759,669.00
Special Funds	<u>59,116,239.00</u>
Total	\$ 66,875,908.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	905
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2012 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2011 budget request process.

SECTION 5. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-103-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 6. The acceptance and expenditure of federal funds which may become available for the purpose of defraying the expenses of the Mississippi National Guard is hereby authorized and approved, provided such expenditures are reported and otherwise handled in accordance with the state budget law, same being Section 27-103-1 et seq., Mississippi Code of 1972.

SECTION 7. The acceptance and expenditure of federal funds which may become available to the Mississippi National Guard for construction purposes is hereby authorized and approved, provided such receipts and expenditures are reported and otherwise handled in accordance with the state budget law, same being Section 27-103-1 et seq., Mississippi Code of 1972.

SECTION 8. Of the funds appropriated in Section 1, Two Million Forty-seven Thousand Eight Hundred Fifty-nine Dollars (\$2,047,859.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 9. It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

Therefore, state agencies as standard procedure, will observe the following criteria:

- (a) Develop goals and desired result for a campaign.
- (b) Evaluate effectiveness through respected advertising standards, including market reach and cost-effectiveness.
- (c) Seek public service announcements, which would be aired by media without cost.
- (d) Itemize and justify professional assistance and related expenses for creative and production costs outside of the actual media expenditures.
- (e) Utilize Mississippi-owned media companies when feasible.

SECTION 10. Of the funds provided under the provisions of this act, Five Hundred Thirty-seven Thousand Two Hundred Forty-six Dollars (\$537,246.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 11. It is the intention of the Legislature that the Mississippi Military Department shall have the authority to receive, budget and expend funds from any source that may become available to the Department in the Camp Shelby Base Operations Fund-No. 3705, and the Camp Shelby Timber Fund-No. 3700, in an amount not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for American's Veterans at Mississippi State University.

SECTION 13. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 14. Of the funds provided in Sections 1 and 2, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. It is the intention of the Legislature that this agency shall have the authority to receive, budget and expend funds from any source that may become available to them as a result of the passage of the American Recovery and Reinvestment Act of 2009 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Executive Director of the Department of Finance and Administration shall have the authority to approve escalations of funds and employee positions using funds from any source available due to the passage of the American Recovery and Reinvestment Act of 2009.

The Executive Director of the Department of Finance and Administration shall immediately send notice of the approval of such budget escalation to the House of Representatives Appropriations Committee, the Senate Appropriations Committee and the Legislative Budget Office. Within fifteen (15) days of such approval, the Executive Director of the Department of Finance and Administration shall ensure that the Legislative Budget Office receives detailed and accurate information about the amount and use of federal and special source funds by state agencies as a result of the passage of the American Recovery and Reinvestment Act of 2009.

SECTION 17. Of the funds provided within this act, no former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year without prior approval by an agency's proper governing board or authority. Upon approval of such contracts a written report shall be submitted detailing the cost and need of contract services to the Chairmen and members of the Senate and House Appropriation Committees.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the

credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2010.

PASSED BY THE SENATE
April 21, 2010



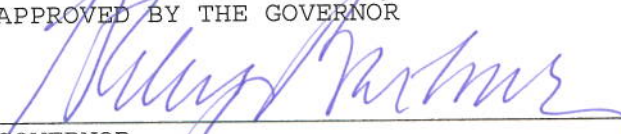
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 21, 2010



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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